

# NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

## *Minutes of Meeting*

May 12, 2006

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### Attendance:

Robert Clegg, Chairman, Department of Safety  
Jerry Tepe, Board of Architects, licensed architect  
Med Kopczynski, NH Municipal Association  
Mark Weissflog, NH Electrical Contractors Business Assoc., licensed master electrician  
Wes Golomb, Public Utilities Commission, State energy conservation code office  
Joel Fisher, Board of Engineers, licensed structural engineer  
Laura A. Black, PE - Board of Engineers, licensed electrical engineer  
Michael Santa, CBO, Governor's Commission on Disability, Architectural barrier/free design  
Rick Swain, NH Plumbing & Mechanical Contractors Assoc., mechanical contractor, business  
John Tuttle, NH Home Builders Association, Architectural designer - residential  
Tedd Evans, Board for Licensing and Regulation of Plumbers, licensed master plumber  
Wayne A. Richardson, NH Building Officials Association, municipal building official

### Excused:

Thomas Malley, Bureau of Electrical Safety and Licensing, licensed master electrician  
James Petersen, PE, Board of Engineers, licensed mechanical engineer  
Fred Baybutt, Associated General Contractors, building contractor - non-residential bldgs.  
Thomas S Lambert, Chief, NH Association of Fire Chiefs, Municipal Fire

### Absent:

Mark Tibbetts, NH Association of Fire Chiefs, municipal volunteer fire chief

### Guests:

J. William Degnan, State Fire Marshal, Division of Fire Safety  
Marta Modigliani, Attorney, Dept of Safety

Chairman Clegg called the meeting to Order at 10:05 and declared a quorum.

### GENERAL MEETING:

#### Adoption of meeting minutes from March 10, 2006.

**Motion** was made by Tedd Evans to accept the minutes as published. Motion was **Seconded** by Med Kopczynski. Vote was unanimous in favor and declared **accepted** by the Chair.

### OLD BUSINESS:

### Legislation in the works

**Home improvement contracts (2005 - HB 177):** Bill was tabled because the legislative members could not come up with a reasonable compromise. The compromise was that if you could hold the contractor and charge him with fraud - you should also be allowed to hold the home owner who never had any intention to pay the bills.

**Membership in the State Building Code Review Board (HB 1134):** The firefighters tried to get their count up to 3. The Bill was Tabled. Volunteer Fire Fighters the Board can't seem to get anybody, so probably next year, maybe a fire prevention officer.

**Municipal enrollment in the National Flood Insurance Program (HB 1330):** If you weren't designated, and your community did not do what they were suppose to do, you could not get into the Federal plan, but it did not stop people from buying their own. That passed.

**Licensing of Gas Fitters (HB 1711):** It's not going to stop the guy who doesn't know what he's doing from doing it, but its licensing.

**International Residential Code (SB 234):** Governor signed into Law.

**Regulation of plumbers and water treatment technicians by the plumbers board (SB 359):** This Bill had gone to a Committee of Conference. Tedd Evans reported that the Committee that the Board was in favor of the amendments. There has to be something technical on this that someone wanted to put a stop to.

Wayne Richardson getting back to the membership in the State Building Code Review Board, feels that a Fire Prevention officer would bring a lot to this Board. The Chair stated that he felt it was insulting to add a 3<sup>rd</sup> fire person, where the ones that are appointed now, are the most frequently absent from the meetings. Rick Swain asked if there ever was a volunteer chief here attending. The Chair suggested that a change be made to the existing membership with one of the fire positions as it is now - and just replace a Chief's position with a Fire Prevention position.

### **NEW BUSINESS:**

**Exhibit 18** - Amendments to the International Building Code - 2006: Under Plumbing on the first page - the last sentence - where it references the International Private Sewage Disposal Code - that should be stricken as well. Jerry Tepe re-iterated that the intent was to bring forward the amendments that were already passed in the 2000 editions. Item 6 for Portable Fire Extinguishers, where the State Building Code does not adopt the International Fire Code, and can not get there by reference, brought forward from the International Fire Code the language they used relative to where the portable fire extinguishers should go. Med Kopczynski asked about the definition of Town House and whether it included the previously discussed language. Jerry said it does not but it is something that can be added later -he just brought forward the definition that was in the International Residential Code - 2006. The height and area revision was not re-done. In checking around with other states, no other jurisdiction has adopted a modified height and area table. Its working in every other jurisdiction in the country, it should work here. Fire Marshal Bill Degnan stated its very important issue from a fire standards point, to have it in there. Mike Santa

asked if what was amended in the document, is the same as the one (un-amended) in the IBC. NFPA and IBC are the same. Jerry indicated that in all sections where reference to the IRC was crossed out - will now be put back in, as the Governor has signed into law the Bill adding the IRC to the SBC. Chairman Clegg asked the State Fire Marshal to look at the amendments.

Chairman Clegg has appointed Med Kopczynski as Chair of the sub-committee to head up the proposed changes to the new Code Editions (2006) that just came out. A member from each section (plumbing, electrical, etc.) will meet in Keene, at a time arranged thru Med and his office.

**Exhibit 19:** Jerry Tepe said the intent, again, in this exhibit was to bring forward the amendments previously made to the Code. And again, the IRC reference would not be stricken out. Chairman Clegg asked if there was anything in here that would change the bill that currently was in front of the legislative body in Committee of Conference. Tedd Evans indicated no.

**Exhibit 20:** Is adopting the International Mechanical Code. Again the comment on not striking the IRC - and the townhouse definition.

**Exhibit 21:** International Energy Conservation Code. Jerry did not bring forward the sun-house/sun-room amendment because it is in there and does not need to be. Wes will look at the exhibit and get back with Jerry.

**Exhibit 22:** The IRC 2006 - again the PUC Rules under the Energy Efficiency. On a quick glance through - Jerry saw only 2 'fill in the blank's which is self-explanatory. And he did the roof to 12 inches. And the Chapter on Fuel Gas is being stricken.

Chairman Clegg and the Board agreed to hold the Public Hearing on these Exhibits in September at the regularly scheduled meeting. A blanket change will be made to the existing State Building Code. The Board is going to work over the summer and there may be more changes. Med asked about hearing something from the City of Manchester relating to the International Existing Building Code, and should it be brought up again? Mike Santa said that the sub-committee (Smart-Codes) should be reinstated for this. Chairman Clegg also said that he had heard Concord was having a problem.

**Sheds/Pole barns email** - Tedd Evans asked with the response he saw on this email - he just wondered what if had been a commercial site. Chairman Clegg said that he instructs Evvy to reply to all emails - to check with the local authority/code official.

**E-mail procedures** - Jerry Tepe said it ties into what Tedd asked, and those that the Board should have some kind of a response to. He suggested that emails be sent to all Board members with a time/deadline with which to respond back. Chairman Clegg said that the response that is going to come from Safety would be to check with your local authority/code official. The only time a response will be given from the Board will be when it is known that there is no local authority/code official. John Tuttle's opinion was that the Board should not be giving out advice. The Board's responsibility is to answer disputes of the Fire Marshal's office, and responses need research and takes time. Mike Santa recalled a sensitive email the Board received, where in a particular town, he claims the building official is enforcing something on him that does not meet Code. Chairman Clegg said that in instances like that, he would have to go to the Selectmen's office in town.

*Availability of Code Books for general public.* Wes Golomb said that he has been approached time and time again by the public who says its unfair to impose a law and then have to purchase a book to ascertain what the law is. It should be made available. Med said that in the City of Keene, all books they have are accessible. Evvy has a set that is accessible here at Safety. The State Fire Marshal's office should have a complete set also. Mike Santa suggested that the State Library maintain a complete set of books also. Most communities will put a set in the local library.

## OTHER BUSINESS

*Building Safety Week:* Mike Santa reported that this is done. The Proclamation was signed yesterday.

*Adding the Agenda to the website as "proposed agenda":* Chairman said it was ok. Also on the website - the sub-committee meetings should be posted for information purposes. The sub-committee meetings will not be open to the public.

## AGENDA

The Chairman asked if there was anything further to be brought before the Board to discuss at this time. Seeing none, accepted a **Motion** from Wes Golomb, and a **Second** by John Tuttle, vote was unanimous and the Chair declared the meeting adjourned.